

## **EXHIBIT 5**

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To : Nourse & Bowles, New York  
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Date : Friday, April 30, 2004

Dear Mr. Bowles,

Re: Bielecki -v- American Steamship Owners Mutual Protection & Indemnity Association Inc., et al - 04 CV 01859 (Judge Stein)

Thank you for your letter addressed to my step-daughter, dated April 26, 2004. May I suggest that for regular exchanges of correspondence we communicate by fax and/or email.

As for your demand for arbitration in London I have the following comments to make:-

1. With the greatest respect, you have misconstrued Clause 5 of the Contract. The "*option*" referred to relates solely to arbitration as opposed to the regular courts. The option does not extend to the **country** in which proceedings are commenced.
2. Your clients have refused US arbitration and therefore no agreement can be reached on the appointment of a single arbitrator, and thus the commencement of proceedings in the regular courts is the only method or option open to me to commence proceedings under the terms of the Contract.

3. Your demand for London arbitration is therefore rejected.
4. Your threat that I will be ordered to pay the costs of your move to stay is noted.

Yours sincerely,

Jacek Bielecki.